

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PAUL K. HOWE

v.

POLUNSKY UNIT

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§

C.A. NO. C-08-242

OPINION AND ORDER OF TRANSFER

This is a civil rights action filed by a state prisoner pursuant to 42 U.S.C. § 1983. He is being held at the Texas Department of Criminal Justice, Correctional Institutions Division's Polunsky Unit, which is located in Livingston, Texas.

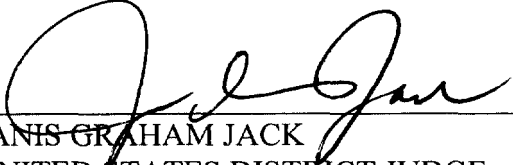
In a letter docketed as a civil complaint, plaintiff alleges that he is being subjected to deliberate indifference to his medical needs. (D.E. 1).

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought in (1) a judicial district where any defendant resides, if all defendants reside in the same State, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). In addition, for the convenience of parties and witnesses, and in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. § 1404(a).

In this case, defendants are prison officials who work or engage in business in Livingston, Texas, which is in Polk County and the events of which plaintiff complains occurred in Polk County, Texas. (D.E. 1). Polk County lies within the Lufkin Division of the Eastern District of Texas. 28 U.S.C. § 124(c)(6). Jurisdiction is proper with that Court. 28 U.S.C. § 1391(b).

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Eastern District of Texas, Lufkin Division.

ORDERED this 24th day of July 2008.



JANIS GRAHAM JACK
UNITED STATES DISTRICT JUDGE